Alberta
ENVIRONMENT

Release Reporting Guideline

Environmental Protection and Enhancement Act

Minor Revisions December 2000

ISBN No. 0-7785-0913-3 (Printed Edition)

More information regarding the Release Reporting Guideline
may be obtained by contacting the Enforcement and Monitoring Manager in your region:

Bow Region
2nd Floor, Deerfoot Square
2938 – 11 Street NE
Calgary, Alberta T2E 7L7
Phone: 403/297-8271

Northeast Boreal Region
111, Twin Atria Building
4999 - 98 Avenue
Edmonton, Alberta T6B 2X3
Phone: 780/427-7617

Northern East Slopes Region
107, 1111 – 54 Street
Edson, Alberta T2E 7L7
Phone: 780/723-8370

Northwest Boreal Region
3rd Floor, Provincial Building
9621 – 96 Avenue, Bag 900-31
Peace River, Alberta T8S 1T4
Phone: 780/624-6402

Parkland Region
3rd Floor, Provincial Building
4920 – 51 Street
Red Deer, Alberta T4N 6K8
Phone: 403/340-7052

Prairie Region
2nd Floor, Provincial Building
200 – 5th Avenue South
Lethbridge, Alberta T1J 4C7
Phone: 403/381-5322

Additional copies of the Release Reporting Guideline may be obtained by contacting:

Regulatory Approvals Centre
Alberta Environment
Main Floor, Oxbridge Place
9820 – 106 Street
Edmonton, Alberta T5K 2J6
Phone: 780/427-6311

or

Information Centre
Alberta Environment
Main Floor, Great West Life Building
9920 - 108 Street
Edmonton, Alberta T5K 2M4
Phone: 780/944-0313
Fax: 780/427-4407
env.infocent@gov.ab.ca

This publication can also be viewed at the following website
http://www.gov.ab.ca/env/protenf/standards/index.html. The PDF format requires the Adobe Acrobat Reader in order to view. This website has a free download.

Alberta Environment Publication No. I/792
ISBN: 0-7785-0913-3–Printed Edition
ISBN: 0-7785-0902-8–On-line Edition
Minor Revisions, December 2000

RELEASE REPORTING GUIDELINE

The *Environmental Protection and Enhancement Act* as amended (EPEA) and the Release Reporting Regulation, Alberta Regulation 117/93 as amended ("The Regulation") deal with the release of substances into the environment and set out requirements for the reporting of such releases to Alberta Environment (AENV).

BACKGROUND

The Release Reporting Guideline is designed to clarify how AENV will interpret the Regulation, in view of the broad range of interpretation and potential reporting obligations. The reporting requirements, set out in sections 99 to 101 of EPEA and the Regulation, are in place to ensure that Industry knows when and what to report and to prevent worsening of the situation; and that AENV is aware of releases that may have any adverse effect on the environment, public health or safety, and to confirm that proper remedial actions are taken in a timely manner.

i) This guideline and the legislative requirement to report, apply to releases of all substances that cause an adverse effect. In reference to substances listed in the Transportation of Dangerous Goods Regulations (TDGR) under the *Transportation of Dangerous Goods Act* (Canada), releases what have caused, are causing, or may cause an adverse effect, AND exceed the minimum reportable quantities referenced in TDGR, are to be reported to the Environmental Service Response Centre immediately.

The person who causes or permits the release or the person having control of the released substance is responsible for determining whether there was adverse effect and for reporting the release.

DEFINITIONS

Adverse Effect – Adverse effect is defined in EPEA as "impairment of or damage to the environment, human health or safety or property".

Containment – Containment means the use of a building, structure, or thing designed to prevent the released substance from causing an adverse effect. If the release is fully contained with no adverse effect, then the Release Reporting Regulations do not apply.

Immediate Reporting – An individual shall report the release of the substance and potential adverse effect and the information listed in s.100 of EPEA at the first available opportunity. This is not to be interpreted to mean the convenience of a person.

Written Report – A written report shall be received by the Environmental Service Response Centre within seven calendar days of the oral report. The report must include the information required by s.4(3) of the Regulation. A waiver of the written report may be requested as stipulated in s.4(2) of the Regulation.

WHO MUST REPORT

The oral reporting obligation is on:

a) the person who releases or causes or permits the release of the substance,

b) the person having control of a substance that is released (unless they have reasonable grounds to believe that the release has already been reported), and

c) a police officer or employee of a local authority or other public authority who is informed of or who investigates a release of a substance (unless they have reasonable grounds to believe it has already been reported).

The reporting duty on police officers, and local or public authorities is consistent with their existing obligations relating to environmental and public safety emergency response. Although it is not an offence under the Act for them to fail to report, it is expected that the local authorities will establish appropriate training and response systems and that they will immediately notify the Environmental Service Response Centre of a release. This will assist in ensuring potential and existing adverse impacts are addressed properly and directly affected parties are notified of the release.

WHAT MUST BE REPORTED

The following section provides information on: (a) the interpretation of adverse effects; (b) the reporting of releases that have and may have adverse effects, and are at or in excess of the minimum reportable quantity; (c) the reporting of releases causing adverse effect through cumulative effects; and (d) the requests for waiver of a written report.

a) <u>Release of substances to the environment that have caused, are causing, or may cause an adverse effect</u>

Adverse effect may be determined by a number of factors, including but not limited to the following:

- the chemical and physical characteristics of the substance released,
- the receiving media,
- the location of the release, and
- the risk to the environment.

The onus is on the person who causes or permits the release or has control of the released substance to determine whether there is an adverse effect.

Table 1 of this Guideline provides examples of some releases and the associated reporting obligations.

b) Release of substances in quantities required to be reported by the Regulations

The Regulation (s.3) states that the release of substances into the environment must be reported if the release has caused, is causing, or may cause an adverse effect, and

i) the release is at or in excess of the amount listed in Table 1 in Part IX of the TDGR; or
ii) the substance falling within the classes set out in Table 1 in Part IX of TDGR is released into a watercourse, groundwater, or surface water in any quantity; or
iii) the substance released is classified as Class 2 dangerous goods under TDGR (compressed gases) and released to the environment in any quantity.

Table 2 of this Guideline summarizes the TDGR quantities or levels of substance release which are reportable in the event an adverse effect or potential adverse effect occurs. In situations where there may be difficulty in determining whether an adverse effect does exist, it is recommended that the release be reported if the quantities or levels listed in TDGR are exceeded. (Note: *TDGR regulated substances, their class and division, and reportable quantities or levels may be obtained through TDG Bulletin Board Service at (613) 998-9247 or (613) 998-9470.*

Table 3 of this Guideline provides additional clarification for the reporting of particular substances referenced in s.3 of the Regulation where TDGR describe different limits. The table lists the types of substances and under what circumstances reporting of releases of these substances is required.

c) Cumulative releases and adverse effect

It is recognized that the cumulative effect of numerous small releases could result in a potential adverse effect even if the individual release itself may not have caused an adverse effect. For example, a number of small releases may not be of sufficient quantity individually to harm groundwater. However, if they continue at the same location over a prolonged time period, there is a potential for an adverse effect to the groundwater. The person who causes or caused the release or has control of the released substance should report the adverse effect immediately upon discovery of the adverse effect.

d) Waiver of the written report

s.4(2) of the Regulation allows a person designated as Director to waive the requirement to submit a written report in circumstances where no adverse effects are likely to occur or the adverse effects of the release have been adequately controlled. A request for a waiver of the written report should be made by the person responsible. (This request should be made at the time of the oral report). The granting of a waiver is conditional upon a satisfactory oral report. (i.e. all necessary information has been submitted through the oral report and no additional information is required.

WHEN TO REPORT THE RELEASE

The release should be reported as soon as a person knows or ought to have known of the release. This means at the first available opportunity not when it is convenient and the emergency is over. A person "ought to have known" a release has occurred when, based on the information available, it is possible a release has occurred. That person should then confirm whether a release has occurred and report accordingly.

HOW TO REPORT AND TO WHOM

Reports should be made to the Environmental Service Response Centre as follows:

- Verbal reports can be phoned to:
  (780) 422-4505 or **1-800-222-6514 on a 24 hour basis**

- A reference number will be provided at the time of the oral report to confirm that the report of the release was made.

- Written reports can be faxed to:
  (780) 427-3178; or

  Mailed to:

  Environmental Service Response Centre
  Alberta Environment
  6th Floor, Oxbridge Place
  9820 – 106 Street
  Edmonton, Alberta T5K 2J6

Releases related to motor vehicle accidents must verbally be reported to the local authority. The local authority will forward the oral report to the Environmental Service Response Centre. A written report is not required unless specifically requested. For other types of transportation spills and releases related to transportation of dangerous goods, verbal reporting is required to be made to both the Environmental Service Response Centre and the local authority.

REFERENCES

- Sections 99 to 101 of the *Environmental Protection and Enhancement Act*, as amended.
- Release Reporting Regulation, Alberta Regulation 117/93 with amendments up to and including Alberta Regulation 247/93.
- Transportation of Dangerous Goods Regulations (SOR 85-77) under the *Transportation of Dangerous Goods Act*, 1992 (Canada).

TABLE 1
ALBERTA ENVIRONMENT REQUIREMENT FOR RELEASE REPORTING

	INCIDENT TYPE	NOT REPORTABLE	IMMEDIATE REPORT
A	Releases that are fully contained within a containment device/facility or confined to an acceptable barrier and do not have odour or vapours released that cause or may cause an adverse effect.	X	
B	Releases, not contained by a containment device or acceptable barrier, that cause or may cause an adverse effect, i.e. odour, contamination of groundwater or soil		X
C	Airborne discharges that are not detectable beyond the plant site and do not have an adverse effect.	X	
D	Unauthorized airborne discharges that have the potential or are creating an adverse effect beyond the plant site, i.e. odours, excessive ambient air quality readings.		X
E	Particulate or smoke emissions from a stack or vent that may exceed visible emissions, as detected by an observer, (>40%) for a period extending beyond six minutes.		X
F	Flaring incidents that may cause an adverse effect by the type and quantity of product being flared, the presence of visible emissions, the duration of the event, or the proximity of the event to the public.		X
G	Non-compliance with Approval emission and effluent limits* if it results in adverse effect.		X
H	Ambient air quality readings which are in excess of Alberta Ambient Air Quality Guidelines.		**

*All other non-compliance with Approval limits or conditions are to be reported according to the requirements of the specific facility Approval.

**See D – The discharge that caused the excessive ambient reading is reportable immediately as an unauthorized airborne discharge under D; the ambient air quality reading is reportable according tot he requirements of the specific facility Approval.

TABLE 2
SUMMARY OF TDGR CLASSES AND QUANTITIES OR LEVELS

ITEM	CLASS & DIVISION		QUANTITIES OR LEVELS
1.	2.1	(compressed gas, flammable)	At or in excess of 100 litres **
2.	2.2	(compressed gas, non-flammable, non-toxic)	At or in excess of 100 litres **
3.	2.3	(poisonous gas)	All
4.	2.4	(corrosive gas)	All
5.	3.	(flammable liquids)	At or in excess of 200 litres
6.	4.	(flammable solids)	At or in excess of 25 kilograms
7.	5.1	(oxidizer)	At or in excess of 50 kilograms or 50 litres
8.	5.2	(organic peroxide)	At or in excess of 1 kilogram or 1 litre
9.	6.1	(poisonous substance)	At or in excess of 5 kilogram or 5 litres
10.	6.2	(infectious substance)	All
11.	8.	(corrosive substance)	At or in excess of 5 kilograms or 5 litres
12.	9.1	(substance having sufficient hazard to regulate)	At or in excess of 50 kilograms
13.	9.2	(environmental hazard)	At or in excess of 1 kilogram
14.	9.3	(dangerous waste)	At or in excess of 5 kilograms or 5 litres

*TDGR (TABLE 1 in Part IX).

**Container Capacity (Liquid Volume Prior to Release)

TABLE 3
SPECIAL SUBSTANCES REFERENCED IN SECTION 3 OF THE RELEASE REPORTING REGULATION

SUBSTANCE	REPORTING CONDITIONS TO BE FOLLOWED
Ammonia (NH_3)	report releases which have or may have an adverse effect
Benzene	report releases which have or may have an adverse effect, and are at or exceed 1 kilogram (TDGR). (note – for gasoline releases, see "Gasoline")
Containers and Scrap Metal	report releases into a watercourse that have or may have an adverse effect
Diesel	report releases that have or may have an adverse effect and are at or exceed 200 litres (TDGR)
Gasoline	report releases that have or may have an adverse effect and are at or exceed 200 litres (TDGR)
Glycols	not regulated under TDGR; report spills that have or may have an adverse effect
Hydraulic Oil	not regulated under TDGR; report spills that have or may have an adverse effect
Hydrogen Sulphide (H_2S)	report releases that have or may have an adverse effect
Mixture of Substances	report release which have or may have an adverse effect and are at or exceed quantities or levels of specific substances referenced in TDGR
Natural Gas	report natural gas releases that have or may have an adverse effect (i.e. odours, noise, or safety to the public); reporting does not apply to planned releases related to routine maintenance and servicing
Ozone-Depleting Substances	report all releases that are at or exceed 10 kilograms (refer to the Alberta Ozone-Depleting Substances Regulation (125/93) for schedule of substances
Persistent Plastics and Other Synthetic Materials	report releases into a watercourse that have or may have an adverse effect
Polychlorinated Biphenyl (PCBs)	report all releases containing concentrations of PCBs > 50 ppm
Refined Products in the Oil and Gas Industry* (e.g. Diesel, Gasoline, Sulphur, Sweetners, Inhibitors, Treating Chemicals)	report refined product and chemical releases in the oil and gas industry to the Enforcement and Monitoring Division as per IL 98-1 Oil and Gas Industry Notification Requirements as follows: • any releases (on or off-lease) that have or may have an adverse effect and that are at or exceed quantities or levels referenced in TDGR

TABLE 3 *CONTINUED* SPECIAL SUBSTANCES REFERENCED IN SECTION 3 OF THE RELEASE REPORTING REGULATION	
TDGR Class 2 Compressed Gases	report releases that have or may have an adverse effect
Unrefined Product in the Oil and Gas Industry* (e.g. Conventional Crude Oil, LPG, Diluent, Condensate Synthetic Crude, Produced Water)	report unrefined releases in the oil and gas industry to the AEUB as per IL 98-1 Oil and Gas Notification Requirements as follows: • any release greater than 2 m^3 on-lease • any release off-lease as per the Oil and Gas Conservation Regulations, • any release that has entered or has potential to enter surface water
Unregulated TDGR Substances	report releases that have or may have an adverse effect
Used Oil (Spent Lubricating Oil and Undrained Lube Oil Filters)	report releases that have or may have and adverse effect and are at or exceed 5 kilograms or 5 litres

*Oil and Gas refers to oil, in-situ sands, sweet gas and sour gas production facilities and pipelines in Alberta